

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 717 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE J.M.PANCHAL Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy of the judgement? No

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?No

5. Whether it is to be circulated to the Civil Judge?No

KAILASHBEN M SONI

Versus

STATE OF GUJARAT

Appearance:

MR MC KAPADIA for Petitioner

MR S.P.DAVE for Respondent Nos. 1 and 3.

CORAM : MR.JUSTICE J.M.PANCHAL

Date of decision: 06/03/96

ORAL JUDGEMENT

The order of detention dated October 12,1989 passed by the Additional Chief Secretary to Government, Home Department, Government of Gujarat, in exercise of powers conferred on him by sub-section (1) of section 3 of the Conservation of Foreign Exchange & Prevention of Smuggling Activities Act, 1974 against Mahesh Kantilal Soni, residing at house No. 1223, Rupa Surchandani Pole, Madan Gopal Haveli Road, Ahmedabad, is the subject matter of challenge in the present petition which is filed under

Article 226 of the Constitution of India.

Mr.S.P.Dave, learned counsel appearing for respondent Nos. 1 and 3 on instructions states that the State Government has revoked the order of detention on February 17,1996 and the detenu is released. As the order of detention is revoked by the State Government and the detenu is released, in my view, the petition has become infructuous and deserves to be disposed of accordingly.

The petition therefore, fails and is dismissed. Rule is discharged with no order as to costs.. Petition stands disposed of as having become infructuous.
